

**IN THE UNITED STATES DISTRICT COURT FOR
THE WESTERN DISTRICT OF OKLAHOMA**

Douglas Mastriano	:	CIVIL NO. 5:24-cv-00567-F
	:	
Plaintiff,	:	
	:	
v.	:	
	:	
James Gregory, III, <i>et al</i>	:	
	:	
Defendants.	:	

RESPONSE TO ORDER TO SHOW CAUSE RE: SERVICE

The Plaintiff, by and through his undersigned attorneys, hereby provides his response to Order to Show Cause, pursuant to this Court's Order, ECF 67, and says for good cause the following:

1. Mr. Roland Kuhn, the National Research Council of Canada, Janet Mullin,

John Doe and Jane Doe have each been served and the executed returns filed. All were served within the 90 day time requirement except for Janet Mullin and the National Research Council of Canada (NRCC), who were each actually served the pleadings within that time limit but may have inadvertently not been provided the summons by process service, which has now been rectified by the process server and service has been certified and filed with this Court.

2. Any delays were attributed to the difficulties in international service and has not prejudiced anyone with the current deadlines in this case.
3. The undersigned sought Rule 4 waiver of service from Mr. Roland Kuhn and he refused to respond to the same.

4. Mr. Roland Kuhn and the National Research Council of Canada avoided service, in the undersigned's opinion, for a significant time because of "vacation" of Mr. Kuhn and failure to respond. See Exhibit One.
5. However, we were able to follow up with local Canadian process servers, their notaries and attorneys, and ensure acceptance and service was executed.
6. Janet Mullin was originally served the pleadings with the UNB defendants on or about July 5, 2024 and the NRCC was originally served the pleadings along with the service of Roland Kuhn, but the executed returns were not delivered signed to the undersigned. They have now been filed with this Court.

WHEREFORE, considering the foregoing, plaintiff respectfully requests this Court find good cause for any delay in service of process.

Respectfully submitted,
The Cox Law Center, LLC

By:

//s//

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CERTIFICATE OF SERVICE

This is to certify on this 9th day of August, 2024, that a copy of the foregoing was served on counsel of record via CM/ECF.

_____/s/_____
Daniel L. Cox